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Written Testimony in Opposition to Senate Bill No. 517, An Act Concerning Senior Safety Zones

Senator Ayala, Representative Serra and members of the Aging Committee, I'm Andrew Schneider, Executive Director of the American Civil Liberties Union of Connecticut. I'm here to oppose Senate Bill No. 517, An Act Concerning Senior Safety Zones.

We have every reason to protect the elderly from abuse but no reason to pass this bill. It's not necessary, it wouldn't work and it would violate the rights of former offenders and their families. The bill would invest a single individual -- a police chief or resident trooper -- with the power to separate elderly parents from their children without oversight and without due process of the law. It would interfere with the reintegration of former offenders into society, to the detriment of the former offender and to society. Its unintended consequences would hurt everyone, including the elderly.

There is no evidence that the elderly are particularly targeted for sex attacks. Yet we know that some elderly people are registered sex offenders themselves. Others have children or other relatives who are registered sex offenders, and they rely on these family members for help and support. Please remember that these former offenders are not all rapists and child molesters. They include men who had consensual sex with a younger girlfriend when they were both teenagers and people convicted of groping, public indecency or voyeurism. This law could prevent a grown child from visiting and caring for a sick or mobility-impaired parent because of a single conviction decades earlier.

Family support is crucial to the reintegration of offenders into society, regardless of the nature of their offenses. And contrary to public perception, recidivism is much lower among sex offenders than among people convicted of other kinds of crimes. A study by the state Office of Policy and Management found that only 2.7 percent of the people who were released from Connecticut prisons in 2005 after serving at least a year for a sex offense were convicted of a new sex offense within the next five years.¹ This is consistent with national analyses by the U.S. Department of Justice that have found a far lower rate of recidivism for sex offenses than for other types of crimes.²

As of January 2012, about half of the state's registered sex offenders were under supervision of the state's probation or parole agencies,³ subject to any rules or restrictions deemed appropriate to their offenses as part of their sentences and rehabilitation. Those who are no longer under supervision must remain registered as sex offenders, but they have not forfeited the fundamental rights to freedom of movement and association. They also have the same responsibility as everyone else to obey the law. Any person, including a registered sex offender, is subject to arrest for trespassing, creating a

¹ Recidivism among sex offenders in Connecticut, State of Connecticut Office of Policy and Management, Criminal Justice Policy & Planning Division, 2012, available at http://www.ct.gov/bopp/lib/bopp/sex_offender_recidivism_2012_final.pdf

² Recidivism of Sex Offenders Released from Prison in 1994, U.S. Department of Justice, Bureau of Justice Statistics, 2003, available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/rsorp94.pdf>

³ State of Connecticut Office of Policy and Management, *supra*.

disturbance or any other criminal offense at a senior housing complex, senior center or any other location.

Requiring police to monitor these locations for former offenders who aren't causing trouble would waste police resources and invite discriminatory policing. Giving police chiefs and resident troopers discretion on whether to waive the restrictions would allow them to deprive a person of basic rights, essentially imposing an unconstitutional form of banishment, for any reason or no reason at all. This would violate due process and the foundational American principle of the rule of law, which invests power in established laws and procedures and not in any individual's arbitrary discretion.

For these reasons and others, the town of Montville recently repealed an ordinance establishing senior safety zones. I respectfully ask the committee to follow that example and oppose this bill.